



Crl.M.P(MD)No.11144 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Third day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P(MD)No.11144 of 2024

and

Crl.O.P.(MD)No.18019 of 2024

SARAVANAKUMAR

... PETITIONER / ACCUSED 1

Vs

1 THE INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 189/2020.

... 1st RESPONDENT/COMPLAINANT

2 MURUGESAN
SPECIAL SUB INSPECTOR OF POLICE,
VASUDEVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT. ... 2nd RESPONDENT / DE FACTO COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to dispense with the personal appearance of the petitioner/accused No.1 in STC No. 33 of 2023 on the file of the Learned Judicial Magistrate Sivagiri, Tirunelveli District till the disposal of the quash petition,



Crl.M.P(MD)No.11144 of 2024

Prayer in Crl.OP(MD).18019/2024:

Pleaded to quash all the further proceedings of the case in Petitioner/Accused No.1 in STC No. 33 of 2023 on the file of the learned Judicial Magistrate Sivagiri, Tirunelveli District.

ORDER : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.BABU JEGANATH, Advocate for the petitioner and of Mr.P.KOTTAI CHAMY, Additional Public Prosecutor on behalf of the 1st Respondent, the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioner before the trial Court is ordered to be dispensed with, on conditions that she shall appear at the time of initial questioning, proceedings under Section 313 of Cr.P.C., and at the time of passing judgment and on the hearings, specifically directed by the trial court. The petitioner is further directed to give an undertaking in the form of affidavit that she will be duly represented by a counsel on all hearing dates and that the Counsel representing her will cross examine the prosecution witnesses on the same day they are examined in chief. The petitioner shall not dispute the identity of the witnesses. The petitioner shall appear before the Court in the event her presence is insisted by the trial judge for the purpose of identification. If the petitioner adopts any dilatorial tactics, it is open to the Trial Court to insist for her



Crl.M.P(MD)No.11144 of 2024

appearance and deal with the petitioner in accordance with the judgment of Supreme

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Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in 2001 (4)

SCC 667.

sd/-
23/10/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

TO

1 THE JUDICIAL MAGISTRATE,
SIVAGIRI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
Crl.M.P(MD)No.11144 of 2024
and
Crl.O.P.(MD)No.18019 of 2024
Date :23/10/2024

SA/SVR/SAR. /29.10.2024/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.